

REMARKS

Claims 1-10 are pending. Claims 1-6, 9, and 10 have been amended. These amendments are supported at least by the specification in page 8, lines 18-23; Examples 1-3. Applicants respectfully submit that no new matter has been introduced.

Applicants' Statement of Substance of Examiner Interview

Applicants would like to thank Examiner Diggs for the courtesy extended in the telephone interview conducted on March 13, 2009. In the interview, the undersigned elected Group I, claims 1-6, 9 and 10.

Elections/Restrictions

Applicants confirm the election of Group I, claims 1-6, 9 and 10, in response to the restriction requirement in pages 2-4 of the Office Action. The election is with traverse because there would have been no undue burden to examine all the claims.

Claim Objections

The Office Action objects to claim 3, alleging that the phrase “and a metal compound thereof” is redundant. Without conceding to the propriety of this rejection and in order to expedite prosecution, claim 3 has been amended to delete the phrase and to list the specific metal compounds separately from the metal. Withdrawal of the objection is respectfully requested.

Claim 5 was objected to for the alleged improper use of the word “cottony.” Without conceding to the propriety of this rejection and in order to expedite prosecution, claim 5 has been amended to replace the word “cottony” with “cotton.” Withdrawal of the objection is respectfully requested.

Claim Rejections -- 35 U.S.C. §102

Applicants respectfully traverse the rejections of claims 1-6, 9, and 10 as allegedly being anticipated by Yoko et al (JP9241967) under 35 U.S.C. §102(b).

Claim 1 has been amended to recite “*A method of deactivating a virus, comprising treating a virus with an antiviral fiber,*” instead of an antiviral fiber.

The Office Action incorrectly states that “‘967 teaches a fiber with functions such as antibacterial, antifungal (which reads on claimed antiviral) and deodorizing properties.” Office Action, page 5, lines 3-4. Contrary to this statement, ‘967 does not disclose any antibacterial or antifungal property of the fiber at all. Although fibers having the antibacterial and antifungal properties are described in a related US patent (US 5,897,673; column 4, lines 52-54; column 13, lines 53-55), a copy of which is attached, it is well known that a composition that has antibacterial or antifungal property is not necessarily effective in deactivating a virus. Because viruses have very different biological structures and mechanisms of proliferation and infection than bacteria and fungi, antibacterial or antifungal agents do not always have antiviral property. For example, it is known that antibacterial agents, such as antibiotics, have no effect at all on viruses. Also, the chemical structures of antiviral agents are often different from those of antibacterial agents and antifungal agents. Even the chemical structures of antibacterial agents and antifungal agents are often different from each other.

‘967 does not disclose a method of deactivating a virus, comprising treating a virus with an antiviral fiber, as recited in claim 1. The claimed invention is not anticipated by ‘967. Applicants respectfully request the withdrawal of the rejections of claims 1-6, 9, and 10 under 35 U.S.C. §102(b).

CONCLUSION

The Examiner is encouraged to contact the undersigned regarding any questions concerning this amendment. In the event that the filing of this paper is deemed not timely, applicants petition for an appropriate extension of time. The Commissioner is authorized to debit Deposit Account No. 11-0600 the petition fee and any other fees that may be required in relation to this paper.

Respectfully submitted,
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